

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

TELECOM BUSINESS SOLUTION, LLC,  
LATAM TOWERS, LLC, and AMLQ HOLDINGS  
(CAY) LTD.,

*Petitioners,*

v.

TERRA TOWERS CORP. and TBS  
MANAGEMENT, S.A.,

*Respondents.*

No. 22-cv-1761-LAK

TERRA TOWERS CORP., TBS MANAGEMENT,  
S.A., and DT HOLDINGS, INC.

*Cross-Petitioners,*

v.

TELECOM BUSINESS SOLUTION, LLC,  
LATAM TOWERS, LLC, and AMLQ HOLDINGS  
(CAY) LTD.,

*Cross-Respondents.*

**MEMORANDUM OF LAW IN  
SUPPORT OF  
RESPONDENTS/CROSS-  
PETITIONERS' MOTION FOR  
LEAVE TO FILE UNDER SEAL**

Pursuant to Federal Rule of Civil Procedure 5.2(d), Respondents/Cross-Petitioners Telecom Towers Corp., TBS Management, S.A., and DT Holdings, Inc. (collectively, “Respondents”) respectfully move for leave to file under seal (1) Respondents’ Memorandum of Law in Support of Motion for Leave to File Amended Cross-Petition to Vacate, (2) the Declaration of Juan J. Rodriguez in Support of Motion for Leave to File Amended Cross-Petition to Vacate and (3) Exhibits 1, 2, 4, and 5 to the Rodriguez Declaration (collectively, the “Documents”).

Respondents are concurrently moving for leave to file an amended cross-petition to vacate the certain confidential awards issued by the arbitral tribunal in the matter of *Telecom Business Solution, LLC et al. v Terra Towers Corp. et al.*, AAA Case No. 01-21-0000-4309, currently before the American Arbitration Association (the “Arbitration”). The Arbitration is governed by a procedural order that requires the parties to:

treat the details of the Arbitration as private and confidential, except to the extent necessary to comply with mandatory applicable laws, including regulatory obligations, court orders, or orders of a regulatory or an administrative body, or to comply with obligations to insurers, auditors, accountants, or investors. In such cases, the disclosure shall not extend beyond what is legally required and any non-governmental recipients shall commit to maintain the information in confidence.<sup>1</sup>

The Documents contain information that would be covered by the foregoing confidentiality order. Moreover, prior to filing their motion for leave to file an amended cross-petition to vacate, Respondents shared their proposed amendment with the Petitioners and the Petitioners requested that Respondents file their motion for leave to amend under seal.<sup>2</sup> Accordingly, out of an abundance of caution and to give the Petitioners the opportunity to seek permanent sealing of part or all of the Documents, Respondents respectfully request that this Court grant their motion for leave to file the Documents under seal.<sup>3</sup>

Respondents will promptly confer with the Petitioners concerning what portions, if any, of the Documents should remain filed under seal.

Date: New York, New York  
August 26, 2022

Respectfully submitted,

By: /s/ Juan J. Rodriguez  
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<sup>1</sup> Procedural Order No. 2, ¶ 222 (ECF No. 6-1).

<sup>2</sup> See Rodriguez Declaration Exhibit 3.

<sup>3</sup> See *Century Indem. Co. v. Certain Underwriters at Lloyd's London*, 592 F. Supp. 2d 825, 828 (E.D. Pa. 2009).